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NOTICE OF APPEAL FROM THE EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES

Docket Number (Optional)

02-028930US



In re Application of Sergey A. Selifonov et al.	
Application Number 09/494,282	Filed January 18, 2000
For METHODS FOR MAKING CHARACTER STRINGS, POLYNUCLEOTIDES AND POLYPEPTIDES HAVING DESIRED	
Group Art Unit 1631	Examiner Zhou S. D1

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner dated, November 20, 2001, rejecting the following claims: 43-53

The fee for this Notice of Appeal is (37 CFR 1.17(b)) \$ 320.

Applicant is a small entity under 37 CFR 1.9 and 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ _____.

A statement of small entity status under 37 CFR 1.27:

is enclosed.

has already been filed in this application.

A check in the amount of the fee is enclosed.

The Commissioner has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.

The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 50-0893

A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

I am the

applicant.

assignee of record of the entire interest.

attorney or agent of record.

attorney or agent acting under 37 CFR 1.34(a).

Registration number if acting under 37 CFR 1.34(a). _____

Signature

Christopher C. Sappenfield, 45,073

Typed or printed name

05/31/2002 AYONDADF1 00000022 500893 09494282

May 20, 2002

01 FC:119

320.00 CH

Date

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231 on this date: May 20, 2002

Typed or Printed Name	Deborah Berwick
Signature	<i>Deborah Berwick</i>
	Date
	May 20, 2002

Please type a plus sign (+) inside this box →

(Modified) PTO/SB/21 (6-88)

Approved for use through 09/30/2000. OMB 0651-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
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FORM

(to be used for all correspondence after initial filing)



Total Number of Pages in This Submission

4

Application Number	09/494,282
Filing Date	January 18, 2001
First Named Inventor	Sergey A. Selionov
Group Art Unit	1631
Examiner Name	Zhou S.
Attorney Docket Number	02-028930US

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1609300

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Response	<input type="checkbox"/> Licensing-related Papers	<input checked="" type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> receipt acknowledgment postcard
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Small Entity Statement	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

Authorization to Charge Deposit Account

Please charge Deposit Account No. 50-0893 for any additional fees associated with this paper or during the pendency of this application, including any extensions of time for consideration of the documents enclosed.

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Christopher C. Sappenfield, Reg. No. 45,073, Quine Intellectual Property Law Group P.C.
Signature	
Date	May 20, 2002

CERTIFICATE OF MAILING

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Typed or printed name	Deborah Berwick
Signature	
Date	May 20, 2002

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FEES TRANSMITTAL for FY2002

Patent fees are subject to annual revision.

Small Entity payments must be supported by a small entity statement, otherwise large entity fees must be paid. See Forms PTO/SB/09-12.

TOTAL AMOUNT OF PAYMENT (\$ 1240.00)

Complete if Known

Application Number	09/494,282
Filing Date	January 18, 2000
First Named Inventor	Sergey A. Selifonov
Examiner Name	Zhou S.
Group / Art Unit	1631
Attorney Docket No.	02-028930US

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MAY 03 2002
1631
02-028930US

METHOD OF PAYMENT (check one)

1. The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number
Deposit Account Name

Charge Any Additional Fee Required Under
37 CFR 1.16 and 1.17

2. Payment Enclosed:
 Check Money Order Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101	740	201 370 Utility filing fee	<input type="text"/>
106	310	206 155 Design filing fee	<input type="text"/>
107	480	207 240 Plant filing fee	<input type="text"/>
108	690	208 345 Reissue filing fee	<input type="text"/>
114	150	214 80 Provisional filing fee	<input type="text"/>

SUBTOTAL (1)

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
<input type="text"/>	-20**	<input type="text"/> X <input type="text"/> = <input type="text"/>	<input type="text"/>
<input type="text"/>	- 3**	<input type="text"/> X <input type="text"/> = <input type="text"/>	<input type="text"/>
Multiple Dependent		<input type="text"/> = <input type="text"/>	<input type="text"/>

**or number previously paid, if greater; For Reissues, see below

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
103	18	203 9 Claims in excess of 20
102	84	202 42 Independent claims in excess of 3
104	280	204 140 Multiple dependent claim, if not paid
109	78	209 39 ** Reissue independent claims over original patent
110	18	210 9 ** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105	130	205 65 Surcharge - late filing fee or oath	<input type="text"/>
127	50	227 25 Surcharge - late provisional filing fee or cover sheet	<input type="text"/>
139	130	139 130 Non-English specification	<input type="text"/>
147	2,520	147 2,520 For filing a request for reexamination	<input type="text"/>
112	920*	112 920* Requesting publication of SIR prior to Examiner action	<input type="text"/>
113	1,840*	113 1,840* Requesting publication of SIR after Examiner action	<input type="text"/>
115	110	215 55 Extension for reply within first month	<input type="text"/>
116	400	218 200 Extension for reply within second month	<input type="text"/>
117	920	217 460 Extension for reply within third month	<input type="text"/>
118	1440	218 720 Extension for reply within fourth month	<input type="text"/>
128	1960	228 980 Extension for reply within fifth month	<input type="text"/>
119	320	219 160 Notice of Appeal	<input type="text"/>
120	300	220 150 Filing a brief in support of an appeal	<input type="text"/>
121	260	221 130 Request for oral hearing	<input type="text"/>
138	1,510	138 1,510 Petition to institute a public use proceeding	<input type="text"/>
140	110	240 55 Petition to revive - unavoidable	<input type="text"/>
141	1280	241 640 Petition to revive - unintentional	<input type="text"/>
142	1280	242 640 Utility issue fee (or reissue)	<input type="text"/>
143	430	243 215 Design issue fee	<input type="text"/>
144	580	244 290 Plant issue fee	<input type="text"/>
122	130	122 130 Petitions to the Commissioner	<input type="text"/>
123	50	123 50 Petitions related to provisional applications	<input type="text"/>
126	180	126 180 Submission of Information Disclosure Stmt	<input type="text"/>
581	40	581 40 Recording each patent assignment per property (times number of properties)	<input type="text"/>
146	690	246 345 Filing a submission after final rejection (37 CFR 1.129(a))	<input type="text"/>
149	690	249 345 For each additional invention to be examined (37 CFR 1.129(b))	<input type="text"/>

Other fee (specify) _____

Other fee (specify) _____

SUBTOTAL (3)

Reduced by Basic Filing Fee Paid

SUBMITTED BY

Typed or Printed Name	Christopher C. Sappenfield	Complete (if applicable)
Signature		Reg. Number 45,073 Deposit Account User ID

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